

1 HONORABLE RONALD B. LEIGHTON  
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10 UNITED STATES DISTRICT COURT  
11 WESTERN DISTRICT OF WASHINGTON  
12 AT TACOMA  
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15 UNITED STATES OF AMERICA,  
16 Plaintiff,  
17 v.  
18 MAXIE A. MOORE,  
19 Defendant.  
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21 Case Nos. CR99-5534RBL  
22 CR01-5089RBL  
23 C08-5068RBL  
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26 ORDER  
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30 THIS MATTER comes on before the above-entitled Court upon Defendant's Motion Pursuant to 28  
31 U.S.C. §2255. Having considered the entirety of the records and file herein, the Court finds and rules as  
32 follows:  
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34 The defendant has filed a §2255 motion challenging his 2001 conviction for fraud and failure to appear.  
35 The record reflects that this is a second or successive §2255 motion. See C03-5292JET. This Court is without  
36 jurisdiction to consider a second or successive motion unless the United States Court of Appeals for the Ninth  
37 Circuit so certifies. The record contains no such certification. Accordingly, this motion is **DISMISSED**  
38 without prejudice to allow defendant to seek certification from the Ninth Circuit.  
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1 **IT IS SO ORDERED.**

2 The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing  
3 pro se.

4 Dated this 28<sup>th</sup> day of February, 2008.

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6 RONALD B. LEIGHTON  
7 UNITED STATES DISTRICT JUDGE

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